

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

MICHAEL SPAZIANO and FAITH SPAZIANO,

Plaintiffs,

vs.

NIAGARA MOHAWK POWER CORPORATION,
et al.,

Defendants.

Case no.: 6:04-CV-6036 (MAT)

RULE 41 STIPULATION OF DISMISSAL WITH PREJUDICE

IT IS HEREBY STIPULATED AND AGREED, by and between the Plaintiffs and the Defendant, Equifax Information Services LLC, in accordance with Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, that this action is dismissed with prejudice as against the Defendant, Equifax Information Services LLC only. Each party hereto to bear its own costs and attorney's fees.

Respectfully submitted this 27th day of March , 2006.

s/ Edward A. Wurtz

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SO ORDERED

DATED: March 28, 2006

S/ MICHAEL A. TELESKA
Michael A. Telesca, U.S.D.J.